

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Steven M. Bloom, Michael S. Art Unit : 3693
Spector and John L. Jacobs Examiner : Sara M. Chandler
Serial No. : 10/001,900 Confirmation No.: 8995
Filed : November 14, 2001 Notice of Allowance Date:
Title : BALANCING ARBITRAGABLE TRACKING SECURITIES

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

Applicant recognizes that in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the above-referenced application, Applicant does not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. In particular, Applicant does not concede that all of the identified limitations are necessary to distinguish the prior art of record or to satisfy the requirements of 35 U.S.C. § 112. Furthermore, Applicant while generally agreeing with the Board does not concede that the Board's reasoning is the only basis for allowance of the claims. Applicant contends that the claims may be patentable for other reasons and dependent claims are allowable on their own merits, and are allowable on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

Please apply any additional charges or credits to our Deposit Account No. 06-1050.

Respectfully submitted,

Date: September 1, 2010

/Denis G. Maloney/

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I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: September 01, 2010